

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAFAEL LINARES,

Petitioner,

v.

Case Number 16-13576

Honorable David M. Lawson

J. A. TERRIS,

Respondent.

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ORDER DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Federal prisoner Rafael Linares has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging the outcome of prison disciplinary proceedings. At the time that he filed his petition, Linares was confined at the Milan Federal Correctional Institution in Milan, Michigan. The petitioner did not pay the required filing fee when he filed his habeas petition, nor did he submit an application to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); 28 U.S.C. § 1915; Rule 3 of the Rules Governing § 2254 Cases. The Court therefore issued a deficiency order on October 14, 2016 requiring him either to pay the filing fee or to submit a properly completed application for leave to proceed without paying the fee. The order provided that if he did not do so within 21 days, then the petition would be dismissed.

The time for submitting the filing fee or required information has lapsed and the petitioner has failed to correct the deficiency. Moreover, prison records indicate that the petitioner no longer is in federal custody, *see* Inmate Profile, Rafael Gabriel Linares, <https://www.bop.gov/inmateloc/> (accessed on November 14, 2016), and he has failed to provide the Court with updated contact information as required by Rule 11.2 of the Local Rules of the Eastern District of Michigan.

Accordingly, it is **ORDERED** that the petition for a writ of habeas corpus is **DISMISSED**

without prejudice.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: November 15, 2016

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 15, 2016.

s/Susan Pinkowski
SUSAN PINKOWSKI